IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

TROY M. HURD, Case No. 4:16CV3029

Plaintiff,

v.

CITY OF LINCOLN, a political subdivision,

Defendant.

PLAINTIFF'S FIRST SUPPLEMENTAL MOTION FOR ATTORNEY FEES AND EXPENSES

COMES NOW the Plaintiff, Troy M. Hurd, and for his Supplemental Motion for Attorney Fees and Expenses hereby states the following:

- 1. Plaintiff filed his Attorney Fee Application on March 12, 2019.
- 2. Since that time, he has identified several expenses that were inadvertently omitted from his Application. *See* Affidavit of Cheryl Smith.
 - 3. Since that time, Plaintiff has also incurred additional fees and expenses.
- 4. Plaintiff is submitting an additional affidavit of Paige Fiedler, attached to which are Exhibits 2 and 3. Exhibit 2 is an additional billing statement from Fiedler Law Firm, P.L.C. showing fees incurred for attorneys and legal assistants. Exhibit 3 is the firm's billing statement for expenses and supporting documentation.
- 5. Plaintiff is submitting additional attorney fees totaling \$41,190, legal assistant charges of \$1,773, and expenses of \$3,689.50.
 - 6. An amended summary of the <u>total</u> invoice to date is as follows:

ATTORNEY FEES EARNED

PAIGE FIEDLER,	575.40 hours @	\$273,200.00
Attorney	\$425/\$475	
BROOKE TIMMER,	.35 hours @ \$325	\$113.75

Attorney		
KELLY K. BRANDON,	1,082.65 hours @	\$320,927.50
Attorney	\$275/\$300	
KATIE ERVIN-CARLSON,	.3 hours at \$300	\$90.00
Attorney		
NATE BORLAND,	7.10 hours at	\$1,237.50
Attorney	\$175/\$200	
MICHAEL LEAHY,	9.5 hours at \$275.00	\$2,500.00
Attorney		
DAVID ALBRECHT,	5.69hours @ \$185	\$ 1,052.65
Attorney		
AMY BECK,	25.2 hours @ \$150	\$ 3,780.00
Attorney		
STEPHANIE COSTELLO,	408.85 hours @	\$49,230.00
Attorney/Law Clerk	\$135/\$90	
MADISON FIEDLER-	2.9 hours @ \$150 ¹	\$ 435.00
CARLSON,		
Attorney		
ELLEN KRESHA,	5.2 hours @ \$90	\$468.00
Law Clerk		

LEGAL ASSISTANT FEES EARNED

TRACY MCKIBBEN,	115.45 hours at \$90	\$10,390.50
Legal Assistant		
DONNA COLTRANE,	3.5 hours at \$90	\$315.00
Legal Assistant		
ROBIN DAISY-JAHN,	118.95 hours @ \$90	\$10,705.50
Legal Assistant		
CHERYL SMITH,	15 hours @ \$90	\$1,350.00
Legal Assistant		

Attorney Fees \$653,034.40

Legal Assistants Fees: \$ 22,761.00

Litigation Expenses: \$60,011.84

TOTAL FEES & EXPENSES: \$735,807.24

¹ Plaintiff noticed that his original fee application incorrectly listed Ms. Fiedler-Carlson rate at \$135; however, her fees were calculated correctly based on the correct rate of \$150.

7. Plaintiff asks the Court to order Defendant to pay the full amount of the attorney fees and expenses requested herein.

WHEREFORE, Plaintiff respectfully requests that the Court grant his Supplemental Motion for Attorney Fees and Expenses, enter an additional judgment against Defendant, and for such other relief that is consistent with the purposes of Title VII and the Nebraska Fair Employment Practices Act.

TROY HURD, Plaintiff

By: /s/ Kelly K. Brandon
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 10^{TH} day of April, 2019 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all CM/ECF participants.

/s/ Kelly K. Brandon